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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,451	08/30/2001	Frank Koperda	220-004.1	2844
23429	7590	10/06/2004	EXAMINER	
GREGORY SMITH & ASSOCIATES 3900 NEWPARK MALL ROAD, 3RD FLOOR NEWARK, CA 94560			STRANGE, AARON N	
			ART UNIT	PAPER NUMBER
			2153	

DATE MAILED: 10/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,451

Applicant(s)

KOPERDA ET AL.

Examiner

Aaron Strange

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 12 is objected to because of the following informalities:
2. With regard to claim 12, there appears to be a typographical error "base unit base unit" on line 2.
3. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 7-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Claims 7 and 8 recite the limitation "said second module" in line 1 of each claim. There is insufficient antecedent basis for this limitation in the claim. It appears that Applicant may have intended for these claims to depend from claim 5, and it has been interpreted as such for the purpose of applying prior art.
7. With regard to claim 9, the limitation "said data sources comprising said second communication function, said first communication function, and said external communications device" is unclear. It is unclear how a communication function can be a source of data. For the purpose of applying prior art, the data has been interpreted as coming from the devices that perform the functions, the base unit and the module.

8. All claims not individually rejected are rejected by virtue of their dependency from the above claims.

Claim Rejections - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

10. Claims 1-20 rejected under 35 U.S.C. 102(a) as being anticipated by Linksys (Reference U).

11. With regard to claim 1, Linksys discloses a modular electronic communications system comprising: a base unit (router); a connection (WAN Port) from said base unit to at least one external communications device (DSL modem) (Page 5, Lines 3-4); at least one module comprising at least one additional communications feature (additional router, switch, or hub) (Page 5, Lines 10-15); said module capable of being coupled directly to said base unit (Connected via uplink port), said module further comprising a data combining function for combining information from said base unit and said module (Allows additional PC's to connect to DSL modem) (Page 20).

12. With regard to claim 2, Linksys further discloses that said base unit does not comprise a data combining function and wherein said base unit comprises a switch for routing data to said combining function located in said module (Switch is used when hub is not built into router) (Page 9, Lines 4-9).

13. With regard to claim 3, Linksys further discloses that said base unit comprises a data combining function (Multiple ports are connected in a LAN and can access the DSL modem) (Page 5, Lines 5-9).

14. With regard to claim 4, Linksys further discloses that said module is capable of operating independently of said base unit (hubs and switches are independent devices) (Page 5, Lines 10-15).

15. With regard to claim 5, Linksys further discloses a second module coupled directly to said first module (additional devices can be connected to the uplink port of the first module or to the LAN ports) (Page 20, Lines 10-11).

16. With regard to claim 6, Linksys further discloses that said second module is capable of operating independently of said base unit (hubs and switches are independent devices) (Page 5, Lines 10-15).

17. With regard to claim 7, Linksys further discloses that said second module further comprises a data combining function (Each connected switch allows additional PC's to connect to DSL modem) (Page 20).

18. With regard to claim 8, Linksys further discloses that the said second module does not comprise a data combining function (A PC connected to a LAN port) (Page 5, Lines 5-9).

19. With regard to claim 9, Linksys discloses a modular electronic communications system comprising: a base unit comprising at least a first communication function (router), a connection from said base unit to at least one external communications

device (DSL modem) (Page 8, Lines 3-4), at least one module comprising at least a second communications function (switch) (Page 8, Lines 5-9), said module being coupled directly to said base unit (Connected via LAN port), a data combining function (Allows additional PC's to connect to DSL modem) (Page 20), located in said module, for combining data from at least three data sources, said data sources comprising said second communication function (Additional PC's), said first communication function (router), and said external communications device (DSL modem), a switch located in said base unit for switching said connection of said external communications device between said combining function located in said module, and said first communication function (Page 9, Lines 4-9).

20. With regard to claim 10, Linksys further discloses a second module (additional devices can be connected to the LAN ports) (Page 20, Lines 10-11 and Page 8, Lines 5-9).

21. With regard to claim 11, Linksys further discloses a second module positioned remotely from said base unit (connected via a cable to the first module) (Page 20, Lines 10-11).

22. With regard to claim 12, Linksys further discloses that said second module is coupled to said base unit (Coupled to base unit via uplink port on switch and LAN port on base unit) (Page 20, Lines 10-11).

23. With regard to claim 13 Linksys further discloses that said second module further comprises a data combining function (Each connected switch allows additional PC's to connect to DSL modem) (Page 20).

24. With regard to claim 14, Linksys further discloses that said second module does not comprise a data combining function (A PC connected to a LAN port) (Page 5, Lines 5-9).

25. With regard to claim 15, Linksys further discloses that said base unit does not comprise a data combining function (There is only one LAN port)(Page 8, Lines 5-9).

26. With regard to claim 16, Linksys discloses a method for adding additional network functions into a network system while keeping the existing physical wiring connections to an external communications device, the method comprising the steps of: (a) obtaining a base unit (router); (b) installing said base unit and connecting an external communications device to said base unit (DSL modem) (Page 5, Lines 3-4); (c) obtaining one or more additional data communications functions contained in a first module (additional router, switch, or hub) (Page 5, Lines 10-15); and (d) coupling said first module directly to said base unit (Connected via uplink port) while keeping the existing physical wiring connections to said external communication device in step (b) (external device connects via WAN port) (Page 5, Lines 3-4).

27. With regard to claim 17, Linksys further discloses (e) obtaining one or more additional data communications functions contained in a second module (additional devices can be connected to the uplink port of the first module or to the LAN ports) (Page 20, Lines 10-11).

28. With regard to claim 18, Linksys further discloses (f) coupling said second module to said base unit while keeping the existing physical wiring connections to said

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communication device in step (b) (Connection is made via uplink ports on first module and base unit, WAN port is not affected) (Page 20, Lines 10-11).

29. With regard to claim 19, Linksys further discloses (g) coupling said second module to said first module while keeping the existing physical wiring connections to said communication device in step (b) (Connection is made via uplink ports on first module and base unit, wiring of base unit is unaffected) (Page 20, Lines 10-11).

30. With regard to claim 20, Linksys further discloses (h) coupling a cable between said second module and said base unit (Second module is coupled to base unit via a cable) (Page 5, Lines 10-13).

Conclusion

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 703-305-8878. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 703-305-4792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANS 9/23/2004


FRANTZ B. JEAN
PRIMARY EXAMINER